

CASE NUMBER: 15SN0604
APPLICANT: John Victor Mazza, Jr.



**STAFF'S ANALYSIS
AND
RECOMMENDATION**

Board of Supervisors (BOS)

Public Hearing Date:

FEBRUARY 11, 2015

BOS Time Remaining:

365 DAYS

Applicant's Contact:

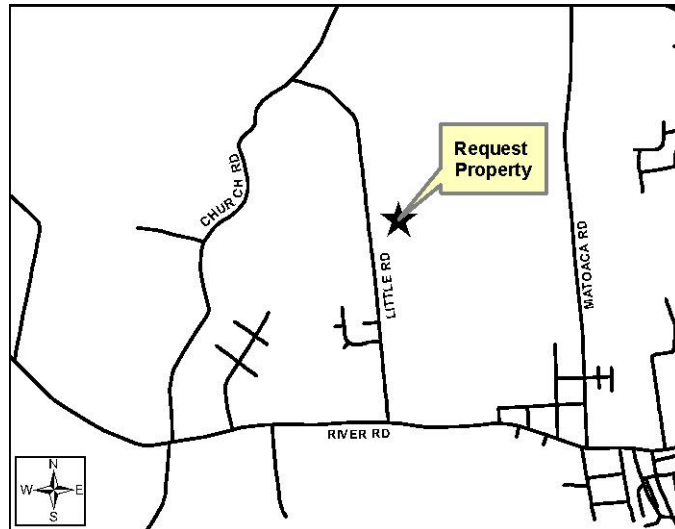
JOHN MAZZA, JR.
(804-526-7665)

Planning Department Case Manager:

RYAN RAMSEY (804-768-7592)

CHESTERFIELD COUNTY, VIRGINIA

Magisterial District: **MATOACA**



APPLICANT'S REQUEST

Conditional use to permit a contractor's shop (swimming pool sales and storage business) plus conditional use planned development to permit exceptions to paved parking in an Agricultural (A) District.

Zoning approval for a contractor's shop has been granted on the property since 1973. A proposed family division of the property has prompted modifications to the operational boundary, buffer and paved parking requirements.

(NOTES: A. Conditions may be imposed or the property owner may proffer conditions.
 B. Proffered conditions are located in Attachment 1.)

RECOMMENDATION

PLANNING
COMMISSION
(1/20/15)

RECOMMEND APPROVAL

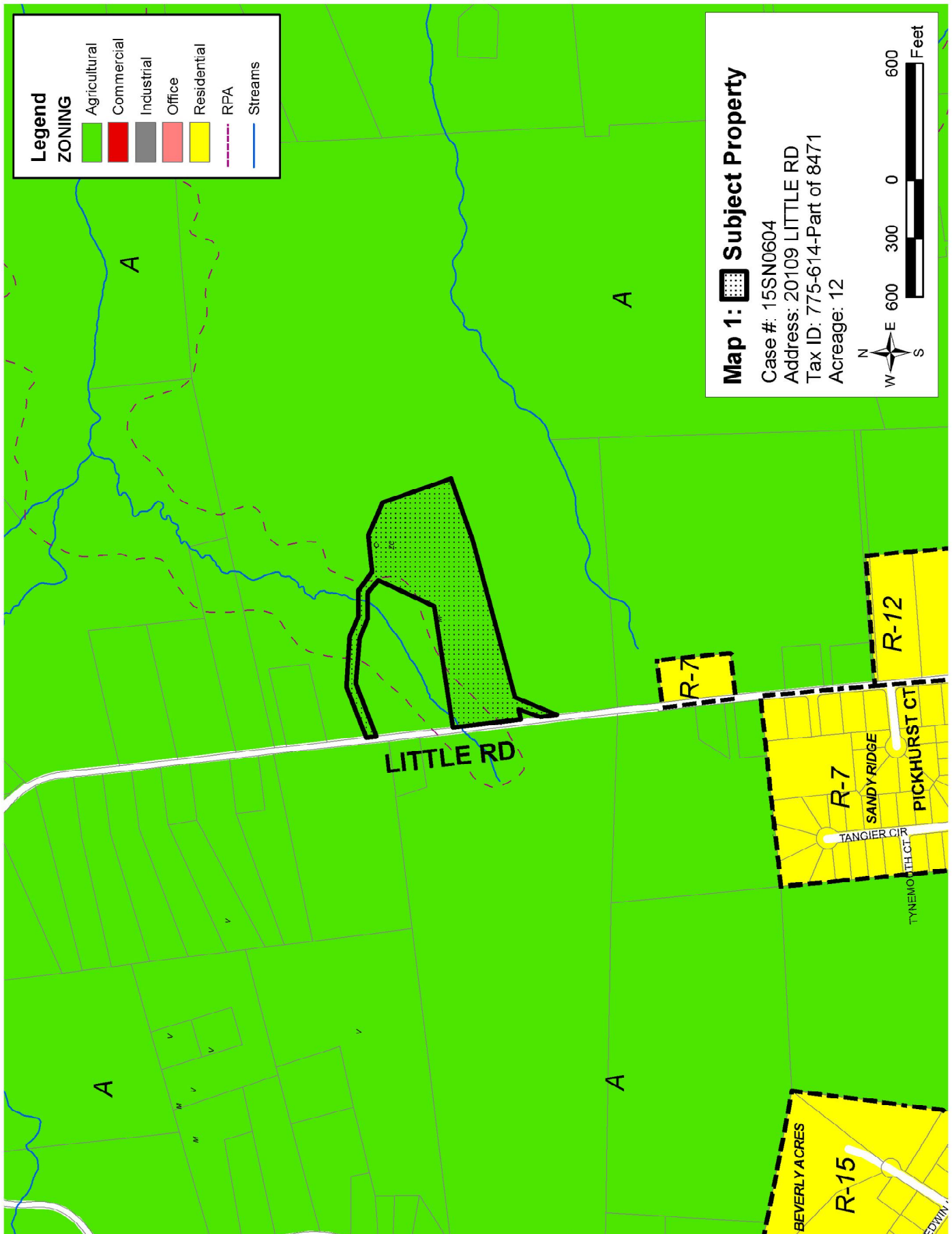
- As conditioned, minimal impact on surrounding development

STAFF

RECOMMEND APPROVAL

- The use has operated on the property since 1973
- No further expansion or improvements are planned
- Proffered conditions continue to minimize adverse impacts on area properties

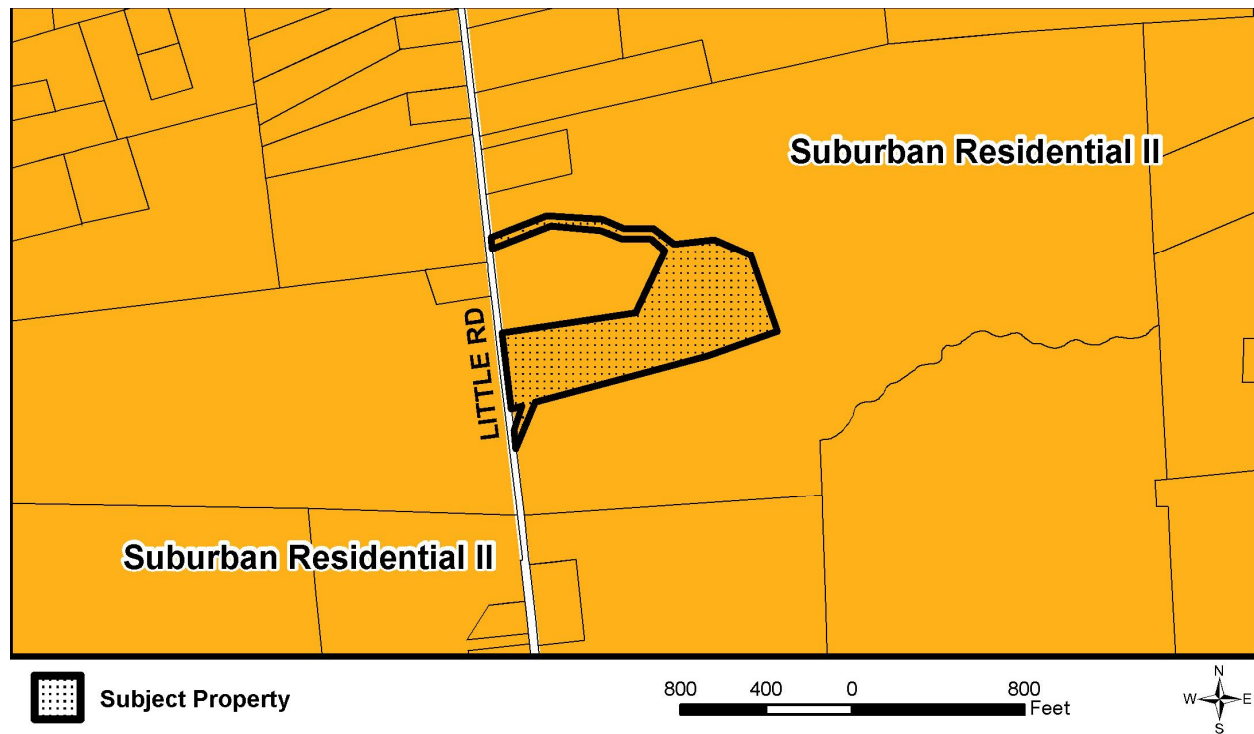
SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	-
FIRE	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-



Map 2: Comprehensive Plan

Classification: **SUBURBAN RESIDENTIAL II**

The designation suggests the property is appropriate for a maximum of 2.0 dwellings per acre.



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

ZONING HISTORY

Case Number	BOS Action	Request
73AN0039	Approved (03/1973)	Special Exception to permit a business office, incidental from the home, for the sale of swimming pools. <ul style="list-style-type: none">No time limitation imposed
84AN0236	Approved (11/1984)	Amend Special Exception (Case 73AN0039) to permit the expansion of a business office, incidental from the home, for the sale of swimming pools. <ul style="list-style-type: none">5 year time limitation imposed
89AR0419	Approved (11/1989)	Renewal of a Special Exception to permit a business office from his home for the sale of swimming pools. <ul style="list-style-type: none">10 year time limitation imposed
90SN0225	Approved (07/1990)	Conditional Use approval to permit a swimming pool contractor sales and storage business. <ul style="list-style-type: none">No time limitation imposed
07SN0381	Approved (10/2007)	Amend Conditional Use (Case 90SN0225) to extend operating rights to additional family members.

PROPOSAL

Continued operation of an existing contractor's shop (swimming pool contractor sales and storage business) is requested. Modifications to the operational boundary, buffer width and paved parking requirements are proposed as outlined herein. All other previously proffered conditions of Cases 90SN0225 and 07SN0381 have been offered as a part of this request.

Operational Boundary

The applicant proposes a family subdivision of the parent parcel to include the request property. Three (3) new parcels would be created from the parent parcel. One parcel will convey to the applicant, a second parcel will convey to the applicant's sister and the request property will convey to the applicant and sister jointly.

Buffers

A 500 foot buffer is currently required between the business areas and adjacent property lines. The family division will result in a new property line being located within seventy-five (75) feet of the business areas. Within this seventy-five (75) feet area, the applicant proposes to retain a vegetated buffer area to provide separation and minimize visual impact of the use.

Paved Parking

The contractor's shop is served by a paved driveway, three (3) paved parking spaces, a secondary gravel access drive and a gravel parking area. Current proffered conditions require that all driveway and parking areas be paved. To minimize further improvements

to the request property, no further paving of the graveled drives or parking areas would be required.

The following provides an overview of proffered conditions offered by the applicant to mitigate the impact of the business on area properties:

General Overview		
Requirements	Details	
Non-Transferrable Ownership	Granted to and for Virginia Mazza, John V. Mazza, Jr., Victoria Mazza Parks and their immediate family members <i>Proffered Condition 1</i>	
Use	Limited to a contractor's shop (swimming pool contractor sales and storage business) <i>Proffered Condition 2</i>	
Employees	No more than 20 employees permitted, exclusive of applicants <i>Proffered Condition 3</i>	
Hours of Operation	Limited to Monday through Saturday, 8 AM to 5 PM <i>Proffered Condition 4</i>	
Expansion of Use	No additional buildings or parking areas are permitted for contractor's shop <i>Proffered Condition 6 Exhibit A</i>	
Outside Storage	<ul style="list-style-type: none"> • Operation of business limited to inside of existing buildings • Outside storage prohibited <i>Proffered Condition 7</i>	
Signage	1 sign permitted <i>Proffered Condition 9</i>	
Modified Requirements	Case 90SN0225	Request
Parking	<ul style="list-style-type: none"> • 25 parking spaces required • Drives and parking areas to be paved 	<ul style="list-style-type: none"> • 25 parking spaces required • Drives and parking areas to be paved or graveled <i>Proffered Condition 5</i>
Expansion of Use	No additional buildings or parking areas are permitted for contractor's shop, exclusive of a 10,000 square foot building addition <i>Attachment 4</i>	No additional buildings or parking areas are permitted for contractor's shop <i>Proffered Condition 6 Exhibit A</i>
Buffer	Maintain a 500 foot buffer around the business buildings and structures	Maintain a seventy-five (75) foot buffer on a portion of property, as shown on Exhibit B <i>Proffered Condition 8</i>

As proffered, the conditions will continue to minimize the possibility of adverse impacts on area properties.

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Matoaca Station, Company Number 8
EMS Facility	The Ettrick-Matoaca Volunteer Rescue Squad

This request will have minimal impact on Fire and EMS.

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and recommendations are detailed in the chart below:

Recommendation	Applicant's Proposal
Right of Way Dedication <ul style="list-style-type: none"> 35 feet along Little Road 	Offered as Recommended <i>Proffered Condition 10</i>

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

VDOT Land Use Regulations

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	-
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	-
Summary	VDOT has no comment on this case as there is no change in land use.

WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	No	12"	No
Wastewater	No	8"	No

Additional Information:

There is a twelve (12) inch water line along Little Rd, approximately 1,400 feet from site. There is a eight (8) inch wastewater line along River Road, approximately 4,900 feet from site. This request will have no impact on the public water and waste water systems.

ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Environmental Engineering has no comment on this request.

CASE HISTORY	
Applicant Submittals	
10/14/14	Application submitted
12/11/14	Proffers were submitted
12/16/14	Revised proffers were submitted
Community Meeting	
12/8/14	Issues Discussed <ul style="list-style-type: none"> • Matoaca Planning Commissioner, applicant and staff attended this meeting at the Matoaca-Ettrick Library • The applicant's request and modifications to previous conditional use were discussed with area property owners
Planning Commission	
1/20/15	Citizen Comments No citizens spoke to this case. Commission Discussion The Commission noted their support for this case: <ul style="list-style-type: none"> • Community meeting attended by adjacent landowners where the applicant was able to explain nature of the request • No opposition to request • Request does not change the operation of this use of the property • Conditions will continue to minimize impacts on adjacent properties Recommendation – APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS IN ATTACHMENT 1 Motion: Wallin; Seconded: Patton AYES: Gulley, Waller, Brown, Patton and Wallin
The Board of Supervisors on Wednesday, February 11, 2015, beginning at 6:30 p.m., will consider this request.	

PROFFERED CONDITIONS

Note: "STAFF/CPC" – Recommended by both staff and Planning Commission
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|-------------|----|--|
| (STAFF/CPC) | 1. | <u>Non-Transferable Ownership.</u> This Conditional Use shall be granted to and for Virginia Mazza, John V. Mazza, Jr., Victoria Mazza Parks and their immediate family members, exclusively, and shall not be transferable nor run with the land. Immediate family members are defined as any person who is a natural or legally defined offspring, spouse or grandchild of Virginia Mazza, John V. Mazza, Jr. or Victoria Mazza Parks. (P) |
| (STAFF/CPC) | 2. | <u>Use.</u> This Conditional Use approval shall be for the operation of a contractor's shop, which shall be limited to a swimming pool contractor sales and storage business. (P) |
| (STAFF/CPC) | 3. | <u>Employees.</u> Not more than twenty (20) employees, other than the applicants, shall be engaged in this operation. (P) |
| (STAFF/CPC) | 4. | <u>Hours of Operation.</u> Hours and days of operation shall be limited to Monday through Saturday from 8 a.m. to 5 p.m. There shall be no Sunday operation of this use. (P) |
| (STAFF/CPC) | 5. | <u>Parking.</u> Off-street parking shall be provided for at least twenty-five (25) employees and customers, plus vehicles belonging to the applicants. All driveway and parking areas shall be paved or graveled. Where graveled, these areas shall contain a minimum of two (2) inches of crush and run gravel. (P) |
| (STAFF/CPC) | 6. | <u>Expansion of Use.</u> No new building or parking area construction shall be permitted to accommodate this use. The use shall be confined to the gravel parking area, contractors shop and accessory building designated on Exhibit A, dated December 5, 2014. (P) |
| (STAFF/CPC) | 7. | <u>Outside Storage.</u> All work and operations associated with this business, including storage of materials and equipment, shall be accomplished on the inside of the existing buildings. (P) |
| (STAFF/CPC) | 8. | <u>Buffer.</u> A natural vegetative buffer zone, at least seventy-five (75) feet wide, shall be maintained on the property, as shown on Exhibit B, dated |

December 5, 2014. This buffer shall comply with the requirements of the Ordinance for seventy-five (75) foot buffers. (P)

- (STAFF/CPC) 9. Signage. Only one (1) sign, not more than thirty-two (32) square feet, shall be permitted. (P)
- (STAFF/CPC) 10. Right-of-way Dedication. Within sixty (60) days from the date of a written request by the Transportation Department, thirty-five (35) feet of right of way along the east side of Little Road, measured from the centerline of that part of Little Road immediately adjacent to the parcel identified as GPIN 7756148471, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

EXHIBIT A

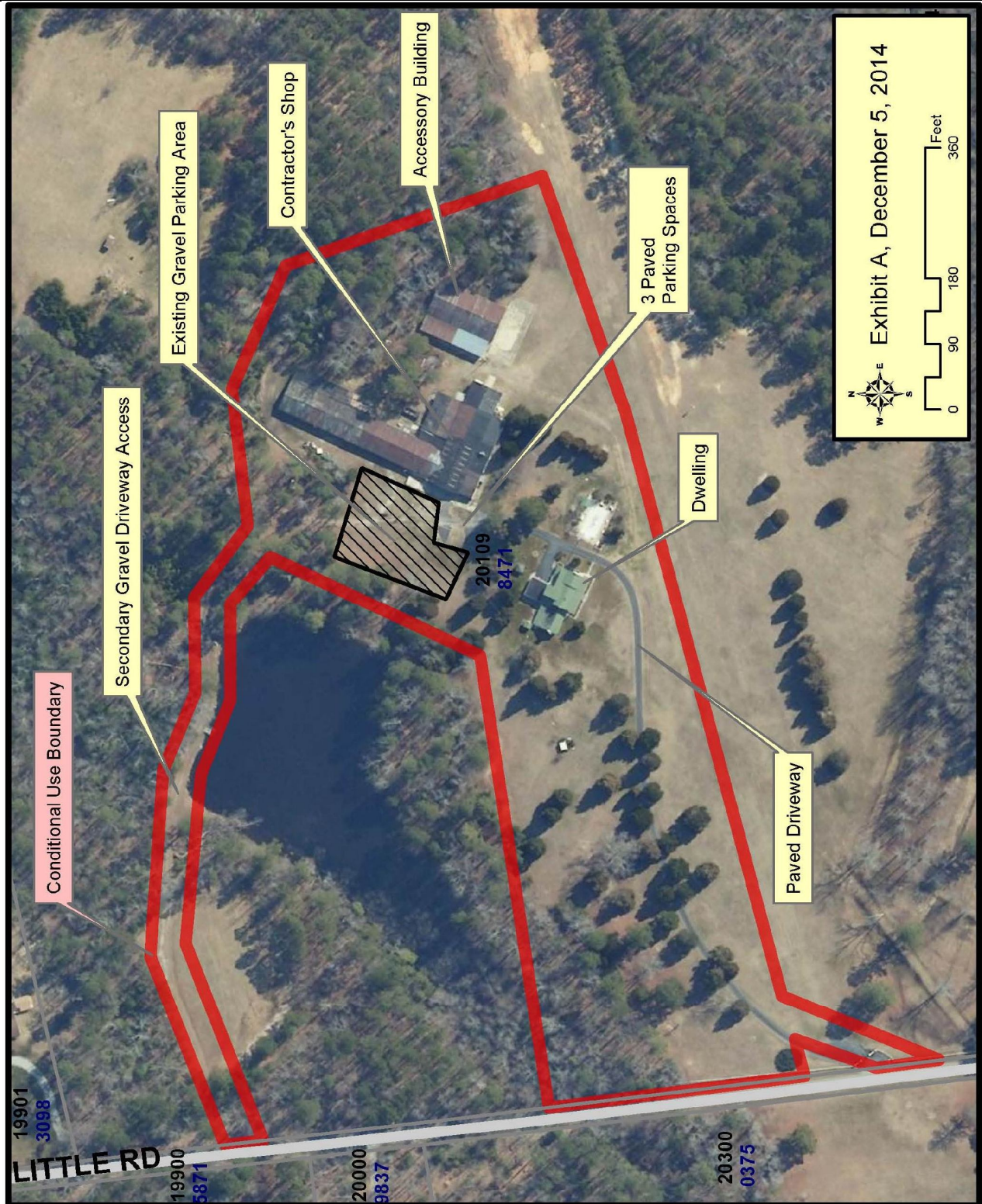
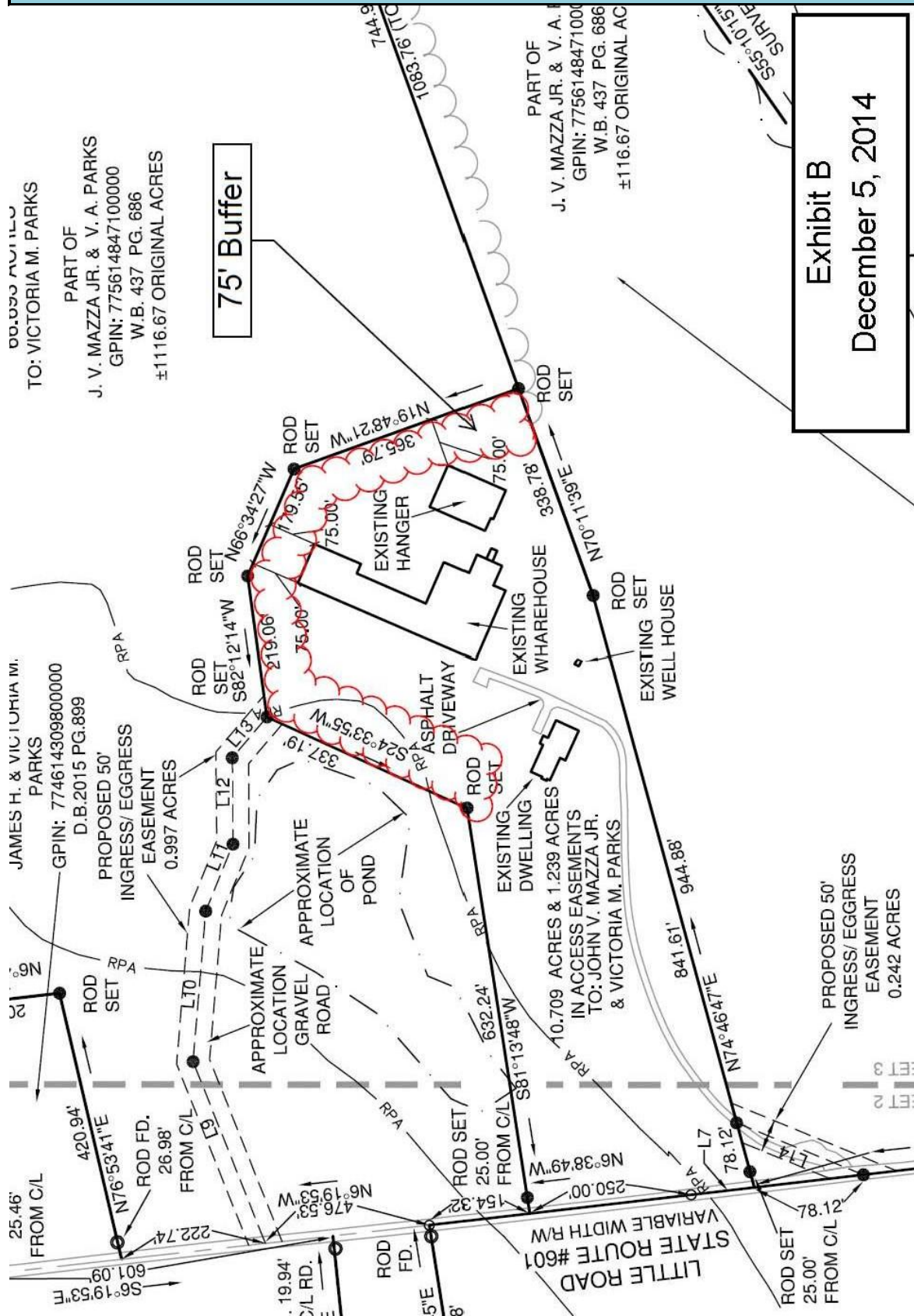
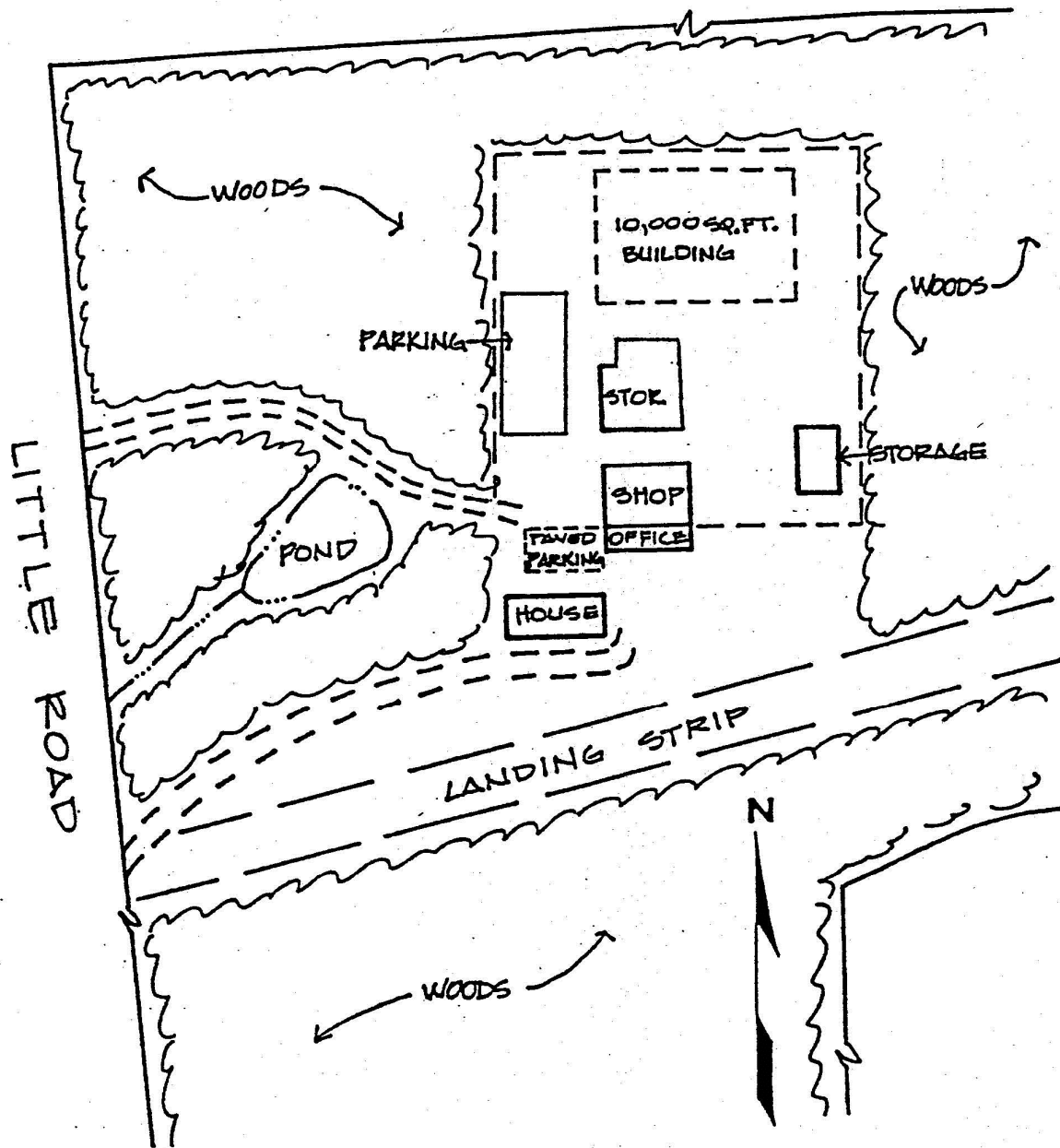


EXHIBIT B

Exhibit B
December 5, 2014

SITE PLAN FROM CASE 90SN0225



90SN0225-1